

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, OCTOBER 15, 2014**

PRESENT: Frank A. de la Fe, Hunter Mill District
Janet R. Hall, Mason District
James R. Hart, Commissioner At-Large
Ellen J. Hurley, Braddock District
John C. Ulfelder, Dranesville District
James T. Migliaccio, Lee District
Earl L. Flanagan, Mount Vernon District
Kenneth A. Lawrence, Providence District
Janyce N. Hedetniemi, Commissioner At-Large
Timothy J. Sargeant, Commissioner At-Large

ABSENT: Peter F. Murphy, Springfield District
John L. Litzenberger, Jr., Sully District

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The meeting was called to order at 8:17 p.m. by Vice Chairman Frank A. de la Fe in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Commissioner Lawrence announced that the Planning Commission's Tysons Committee would meet on Wednesday, October 22, 2014, at 7:00 p.m., in the Board Conference Room of the Fairfax County Government Center.

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Commissioner Lawrence noted that he would be unable to attend the meeting on October 29 and announced his intent to defer the public hearings on RZ/FDP 2014-PR-004 & PCA 88-D-005-08, Amherst Property, LLC and 2232-P14-6, Verizon Wireless and Milestone Communications.

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PA 2013-CW-T2 – COMPREHENSIVE PLAN AMENDMENT (FAIRFAX COUNTY BICYCLE MASTER PLAN) (Decision Only) (The public hearing on this application was held on October 1, 2014.)

Commissioner Hedetniemi: Mr. Chairman, two weeks ago, we heard the presentation on the Bicycle Master Plan for Fairfax County and we deferred decision on that until tonight, and so I'd like to ask staff to make a presentation on what we have done in the interim period of time to address some of the issues that were raised at the public hearing and at the Commission.

Vice Chairman de la Fe: If we can do it quickly, because we are on verbatim.

Charlie Strunk, Bicycle Program Coordinator, Fairfax County Department of Transportation: Thank you, Commissioner Hedetniemi. My name is Charlie Strunk. I'm with the Fairfax County Department of Transportation. So, two weeks ago we did produce - present the Bicycle Master Plan and the accompanying Bicycle Network Maps. And there were several necessary modifications that were a result of terminology changes, some changes from VDOT on recent directives, and so on and so forth, so, I'll fly through these. You do have a memo that was passed out. It's dated tonight, October the 15th and it goes into these changes. They are relatively minor. I'll quickly go through them. Very quickly:

- We had a change on page 4, the fourth bullet. This request was – was requested by VDOT (Virginia Department of Transportation) and it just – it just clarifies the position on – on shared lane markings, when to use them, and things like that.
- Page 5, the first bullet: This was a request by several supervisors and, let's see. Let me get my notes here. There was a specific reference in there about strengthening the – the number of employees working on bicycle planning in the Department of Transportation, so we – we revised that section and basically softened it up.
- Page 6, the third bullet: This was, again, a clarification required by VDOT.
- Page 32 and 60: This was a terminology clear-up. This was involving cycle tracks and there was a lot of confusing regarding cycle tracks and we went with the Federal Highway Administration and the Association of Pedestrian and Bicycle Professionals' latest version, which is separated bike lanes, and we have added that for clarification purposes in the definition.
- There was the same thing on Page 37, regarding Policy Roads, and we went back and we just beefed up the definition of Policy Roads.
- Page 80, the first bullet: It's basically the same as page 5, first bullet.
- Page 80, third bullet: There was some discussion as to forming a bicycle advisory committee and we went back and we - - it's still in there, but we – we changed the narrative around to give more flexibility and to include the Trails and Sidewalks Committee.
- Page 80, the fifth bullet: Staff questioned the reference to the county passing legislation to allow cost sharing. We didn't think that that was the right wording, so that is still in there but we took out the references to passing legislation.

And then on the map there are several minor modifications and - - I got it.

- Hunter Mill Road: We were requested by – by Supervisor Smyth to reconsider Hunter Mill Road. This was currently – this was currently shown as bike lanes and this was actually carried over from the 2002 Countywide Trails Plan. So with her cooperation, we reclassified

this as striped shoulders for the northern piece and then bike lanes on the southern piece – short piece – and the limits are in the memo.

- Merilee Drive: We did have a cycle track on there. She specifically asked that we remove that. We are now looking at bike lanes. Actually, it's a combination of bike lanes and a climbing lane. We went out and field-checked this and we feel confident that we can do this section and that this section would – would in fact work with the ultimate Merilee section when it's redeveloped.
- Prosperity Avenue: We do have a climbing lane. There was some question as to if there was in fact a vertical grade. And we went out and, as a biker, there is a vertical grade.
- State Road 123: We inadvertently showed the trail, an existing trail running into the Town of Occoquan. We – we removed that.
- And Richmond Highway: We re-classified the classification. We did have cycle tracks and bike lanes and we've amended that to show bike lanes; however, when we hit a CBC – and there's six of them – we change that back to Policy Road for further study.
- And Chain Bridge Road: There was a map – there was a map error where we showed climbing lanes on the piece of Chain Bridge Road from Georgetown – George Washington Memorial Parkway down to the Arlington County line and we have removed that. We removed that because Arlington County removed their piece. There's right-of-way issues and there's a ton of geometric issues which we figure would never be – we would never be able to deal with.
- And then the last one is Old Dominion Drive: The section from Towlston to Georgetown Pike was inadvertently dropped off. We have put that back on as a striped shoulder for bikes.

So that's a very, very fast, short summary.

Vice Chairman de la Fe: Thank you very much. Commissioner?

Commissioner Hurley: Mr. Chairman? I have a question.

Vice Chairman de la Fe: Excuse me, there – okay, yes.

Commissioner Hurley: I have one specific question. On page 37, Section 3.3, Policy Roads, the bottom of the staff recommendation, where it says roads have relatively high speeds greater than 40 miles an hour. Do you mean they have high speed limits of greater than 45 miles [sic] or traffic is actually going more than - - do you mean that traffic is going at speeds greater than 40 miles an hour? Or do you mean that speed limits are greater than 40 miles an hour?

Mr. Strunk: This would be a posted speed.

Commissioner Hurley: All right. It might make it more clear if you say that the road has a posted speed limit greater than 40.

Mr. Strunk: Okay, yes, we can clarify that.

Vice Chairman de la Fe: Okay, any – Commissioner Flanagan.

Commissioner Flanagan: Yes, I also have a question. I noted in your report now that you mention Richmond Highway, Route 1, and are designating it as either a bike or a – a bike lane or a cycle track. And the question that I brought up at the public hearing, which I would like to have to have some clarification on is, at the present time the Comprehensive Plan calls for two – for a ten-foot-wide bicycle/pedestrian path on each side of Richmond Highway and then we have these bicycle lanes in the roadway as well. We have them planned in the roadway as well, and my comment at the public hearing was that this sort of looks like overkill to the community. And if we're going to be spending precious transportation monies on something, there may be some other rather higher priority than overdoing, you know, the amount of bicycle paths we have on Richmond Highway. And so I would – I want to be sure that the plan doesn't preclude us, you know, having just – what the – what the - - The community met on this after the public hearing and so, consequently, one of their recommendations was that the – the paths on both sides of the highway be just pedestrian. They don't like the idea of pedestrians and bicycles on the same path, particularly up and down Richmond Highway, where we're trying to encourage, you know, pedestrian access to the commercial – the business districts. And, you know, bicycles coming along there, you know, at a rapid speed or going to, you know, be a - - they see as a – bad planning, so is there anything in the plan now that would preclude that change from occurring in the future?

Mr. Strunk: The easy answer is no. No, we met – we met with our transportation planning folks this week and we discussed the Route 1 multimodal study. So there is flexibility built – built both into that study and the Bicycle Master Plan. So yes, I – I agree with you; we do not want bikes mixing – mixing with the pedestrians.

Commissioner Flanagan: Okay, but in the meantime that is going to be dangling over the community and not knowing whether the worst... They'd like to start planning for the use of that money elsewhere, you know, as soon as possible.

Mr. Strunk: Right. One of the changes that we made was we know that we have on-road bike lanes on that southern section of Route 1 that's – that's going to construction; however, as you enter the CBCs, we've re-designated the map as a Policy Road which, because we want to – we want to get into the weeds and study this with the multimodal study and to see what – what is the best alternative, so we do have the flexibility there.

Commissioner Flanagan: Well, I wanted that clarified tonight and I think you've done it nicely. Thank you.

Vice Chairman de la Fe: Commissioner Ulfelder.

Commissioner Ulfelder – Thank you, Mr. Chairman. I had a question about your Old Dominion Drive designation. I understand the reason for and agree with the idea for putting back the missing piece but, if I recall, when I looked at the map, there is no designation for Old Dominion Drive down to the entrance of Great Falls Park where the actual booth is at the end. That is a

public road to within about 100 yards of the guard station there and I – I think it should be – also have a designation for – have similar treatment, a striped shoulder. There's some difficulties in there because of some curves that you can't around, so - - but I would like you all to take a look at that and see if that section of Old Dominion – it's about a mile long – should be also designated on the map.

Mr. Strunk: Okay, we will do that.

Vice Chairman de la Fe: And that can be done before the Board of Supervisors? Okay, thank you. Anyone else? Commissioner Hedetniemi.

Commissioner Hedetniemi: Thank you, Mr. Chairman. Mr. Chairman, Plan Amendment 2013-CW-T2 proposes to update the Comprehensive Plan to reflect the recommendations of the Fairfax County Bicycle Master Plan, add a new Bicycle Network Map, and update the Countywide Trails Plan Map. Revisions to both the Area Plans and Transportation section of the Policy Plan are also recommended to be consistent with the new guidance. Other components of the Amendment include:

- Revising Appendix 3 of the Transportation section of the Policy Plan to add definitions of bicycle facilities found on the Bicycle Network Map;
- Incorporating Chapters 1 through 4 of the Bicycle Master Plan, dated May 2014, into the Transportation section of the Policy Plan, to be designated as Appendix 5; and endorsing, in concept, Chapters 5 and 6 of the Bicycle Master Plan. These chapters, 5 and 6, are oriented to policy and programmatic approaches which, while outside the purview of the Comprehensive Plan, will be useful in implementing bikeway network recommendations; and finally,
- Modifying the Bicycle Master Plan document and Bicycle Network Map, as referenced in the memo to the Planning Commission, dated October 15, 2014.

Mr. Chairman, I MOVE THAT PLANNING COMMISSION, IN SUPPORT OF FAIRFAX COUNTY'S FIRST BICYCLE MASTER PLAN, RECOMMEND APPROVAL TO THE BOARD OF SUPERVISORS OF PLAN AMENDMENT 2013-CW-T2, AS MODIFIED BY THE MEMO DATED OCTOBER 15, 2014. Thank you, Mr. Chairman.

Commissioners Flanagan and Sargeant: Second.

Vice Chairman de la Fe: It's been moved and seconded by Commissioners Flanagan and Sargeant. Any discussion?

Commissioner Lawrence: Mr. Chairman?

Vice Chairman de la Fe: Yes, Commissioner Lawrence.

Commissioner Lawrence: Point of clarification: the Planning Commission's Tysons Committee is now reviewing the Tysons Comprehensive Plan for possible amendment. A bicycle plan is included in that Tysons Plan. If the committee has any recommendations for changes to that

portion of the Bicycle Plan, they will be rolled out as part of the committee's recommendation when the plan amendment itself is rolled out, in due course. Thank you.

Vice Chairman de la Fe: Okay. Thank you for the clarification. Yes, Commissioner Ulfelder.

Commissioner Ulfelder: I'm supporting this strongly and will vote for it, but I do have some concerns. I think that endorsing Chapters 5 and 6 in concept – I can understand why we're doing that; they're not part of the Plan, but to me they are more than useful, they are key to implementing this plan. And I was a little sorry to see the change in the language on page 5 concerning the – and later on – concerning the staffing issue. Right now, as I understand it, we have two staff, compared to, say, Arlington, which probably has one fourth of the – or one fifth of the population of Fairfax County, and has up to five two six full-time people working on various aspects of their bicycle program. And I think for this to succeed in the long run, it's going to be important early on to – to be doing the proper staffing, to be taking care of maintenance issues – that's what I call a flat-tire issue. If you don't maintain bike lanes, people end up with flat tires because a lot of debris gets over there and then they stop use the bike lane and they get out in the traffic; so that's key to me as well. So, I – I'm really hopeful that the county will be able to find the resources and make the effort to really push for bicycles. I – I learned from Mr. Biesiadny last night that within two weeks of the Silver Line opening, the McLean Station bike facilities were full and people are stacking bikes against each other, WMATA is scurrying around trying to find ways to provide additional bike parking, and that's not an easy station to get to. There are still a lot of difficulties. Under this plan, there will be a lot of improvements in the access for bicyclists to that station, but right now there's some not very safe and some difficult ways to have to get there, yet people are flooding to get – to get there by bicycle as an alternative to driving or – and to pick up the Metro from – after they've ridden there on a bike. So, I – I see this growth coming and, particularly with the continued urbanization, particularly Tysons development, and I – it's just really important to me to see those issues that are discussed in Chapters 5 and 6 adequately addressed by the Board of Supervisors and by the county. Thank you.

Vice Chairman de la Fe: Thank you. Commissioner Hedetniemi. And I remind everybody that we are on verbatim and we are going to make this short.

Commissioner Hedetniemi: I would like everybody in the audience who will be pitching in to help the staff of Fairfax County implement this bike – bicycle plan – raise your hands please. Yes.

Vice Chairman de la Fe: Thank you. Commissioner Flanagan.

Commissioner Flanagan: Yes, I will be short. I was glad that we're on verbatim and I want to be sure that the verbatim, when it goes forward, reflects the fact that I had brought this up at the public hearing and I endorse Commissioner Ulfelder's comments completely.

Vice Chairman de la Fe: Thank you. Any further comments? Hearing and seeing none, all those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries unanimously.

The motion carried by a vote of 10-0. Commissioners Litzenberger and Murphy were absent from the meeting.

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SE 2014-MV-017 – VERIZON VIRGINIA, LLC (Decision Only) (The public hearing on this application was held on October 1, 2014.)

Commissioner Flanagan: The first decision only that I have to bring before the Commission is the Verizon application for a Special Exception. The public hearing was held on October 1. We had quite a bit of testimony. There were about – approximately three items that needed to be addressed subsequently and, unfortunately, we were only able to resolve one of the three when it came time for the decision only, so I had the – the decision date moved to tonight by a motion of Commissioner Hart. And this evening I'm going to have to report, sadly, that we now have only two of the three issues resolved, and we have one more issue to go, so I'm going to have to defer the application again this evening. So, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENTS FOR SE 2014-MV-017 TO A DATE CERTAIN OF OCTOBER 29, 2014.

Commissioners Hart and Sargeant: Second.

Vice Chairman de la Fe: It's been moved and seconded by Commissioners Hart and Sargeant. Any discussion? Hearing and seeing none, all those in favor please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? Motion carries.

The motion carried by a vote of 10-0. Commissioners Litzenberger and Murphy were absent from the meeting.

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SE 2014-MV-014 – FOZIA HUSSAIN/KIDS CLUB INFANT DAY CARE, LLC (Decision Only) (The public hearing on this application was held on October 8, 2014.)

Commissioner Flanagan: The next decision only that is on the agenda is for the childcare application SE 2014-MV-014, Fozia Hussain for the Kids Club Infant Day Care Center. The public hearing was on the 10th - October the 8th, rather - and at that meeting, there was quite a lively debate amongst the commissioners with the applicant about concerns over safety issues primarily, and each of those - - There were many good suggestions from the commissioners and I noted all of them down very carefully and so did the staff. And Nick Rogers, in particular, has done just a wonderful job, I think, of fashioning changes to the conditions that resolve, I think,

all of the concerns that were brought up by the commissioners. You received a red-line copy of that earlier and tonight you have before you the – the memo from Nick for – for one – for the application SE 2014-MV-014. So based upon that, I'm going to move and ask your support for the application, which would be to – let's see. I want to make sure I've got the right date down here – that I move that the planning – well, that I MOVE THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE SE 2014-MV-014, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED OCTOBER 15TH, 2014.

Commissioner Sargeant: Second.

Vice Chairman de la Fe: Seconded by Commissioner Sargeant. Is there any discussion? I have – I would request on behalf of the Commission, if the applicant is here, to please step forward and identify yourself.

Fozia Hussain, Owner, Kids Club Infant Day Care Center: Good evening. My name is Fozia Hussain.

Vice Chairman de la Fe: Thank you very much. You are the applicant of the subject application which has been proposed for recommendation of approval, with - subject to new development conditions dated October 15th. Do you agree with those –

Ms. Hussain: Yes.

Vice Chairman de la Fe: – development conditions?

Ms. Hussain: Yes.

Vice Chairman de la Fe: You do? Thank you very much.

Ms. Hussain: Thank you.

Vice Chairman de la Fe: So it's been moved and seconded and, is there any discussion? Hearing and seeing none, all those in favor please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries.

Commissioner Ulfelder: I abstain. I was not present for the hearing.

Vice Chairman de la Fe: It's been – recommended approval with Commissioner Ulfelder abstaining; not present for the public hearing.

The motion carried by a vote of 9-0. Commissioner Ulfelder abstained from the vote. Commissioners Litzenberger and Murphy were absent from the meeting.

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SEA 2011-MV-002 – UZMA TANVEER BUTT/SUNNY DAY CARE ONE, LLC (Decision Only) (The public hearing on this application was held on October 8, 2014.)

Commissioner Flanagan: The second childcare application we have this evening is – was held on the 8th of October and I think the – many of the same concerns of the Commission applied to that particular application as well. In fact, I'm glad to hear the comments from Barbara Berlin on the impact that this is going to have on continued activities of the staff. I think we have sort of invented a new boilerplate, you know, for the childcare and I – I presume that there are many childcare facilities that have been operating, you know, with the same conditions. So, I don't think this is an – these two applications are unusual. I think we're going to probably, you know, see those characteristics, you know, again in other applications that come before us. So I do hope that we have, you know, some approach of that sort in the staff's – the process and in these applications in the future.

Barbara Berlin, Director, Zoning Evaluation Division, Department of Planning and Zoning: Yes, Chairman, and I'll keep it moving. In the course of working through all the Special Permits, and now we're moving into the Special Exceptions, it's been a moving target but we are trying to iron out the development conditions to arrive at something as close to a template as possible. Thank you.

Commissioner Flanagan: Well, I'm glad that Mount Vernon was able to serve as a guinea pig in this process.

Vice Chairman de la Fe: And I'm glad that Ms. Berlin used the term "template" rather than "boilerplate" because we might need a permit for that.

Commissioner Flanagan: Right. I – I would LIKE TO MOVE THE APPROVAL OF SEA 2011-MV-002, UZMA TANVEER BUTT/SUNNY DAY CARE, AS YOU have now – SEE IT CONSTITUTED IN THE HANDOUT THAT YOU RECEIVED FROM NICK ROGERS THIS EVENING.

Commissioners Sargeant: Second.

Commissioner Lawrence: Was that a motion?

Commissioner Flanagan: Yes, that's a motion.

Commissioner Lawrence: Second.

Vice Chairman de la Fe: Seconded by Commissioner Lawrence and Commissioner Sargeant. Is there any discussion? And again I would –

Commissioner Hart: Mr. Chairman?

Vice Chairman de la Fe: Yes? Mr. Hart.

Commissioner Hart: Two things. I think we should INCORPORATE THE DEVELOPMENT CONDITIONS NOW DATED OCTOBER 15, 2014, IN THE MOTION.

Vice Chairman de la Fe: yes, agreed. That's a FRIENDLY AMENDMENT.

Commissioner Hart: And if I recall, we have to ask the applicant –

Vice Chairman de la Fe: I was going to do that, as I did before.

Commissioner Hart: Okay.

Vice Chairman de la Fe: If the applicant could, come forward. If you could, identify yourself for the record.

Uzma Tanveer Butt, Owner, Sunny Day Care One: My name is Uzma Tanveer.

Vice Chairman de la Fe: And you are the applicant under –

Ms. Butt: – Sunny Day Care.

Vice Chairman de la Fe: SEA 2011-MV-002 and we have a new set of development conditions dated October 15th. Do you accept those conditions?

Ms. Butt: Yes, sir.

Vice Chairman de la Fe: Thank you very much. Okay. Any further discussion? Yes? Okay, hearing and seeing none, all those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries.

The motion carried by a vote of 10-0. Commissioners Litzenberger and Murphy were absent from the meeting.

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2232A-L05-8-1 – T-MOBILE, 6601 TELEGRAPH ROAD

Commissioner Migliaccio: I MOVE THAT THE PLANNING COMMISSION FIND THAT 2232A-L05-8-1, A COLLOCATION ON BEHALF OF T-MOBILE, AND LOCATED AT THE LEE DISTRICT REC CENTER IS A "FEATURE SHOWN," PURSUANT TO *VIRGINIA CODE* SECTION 15.2-2232, AS AMENDED

Commissioner Sargeant: Second.

Vice Chairman de la Fe: It's been moved and seconded by Commissioner Sargeant. Any discussion? Hearing and seeing none, all those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries.

The motion carried by a vote of 10-0. Commissioners Litzenberger and Murphy were absent from the meeting.

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FS-P14-27 – CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS, 7501 LEESBURG PIKE

Commissioner Lawrence: In the matter of FS-P14-27, presented by Cellco Partnership, doing business as Verizon Wireless at 7501 Leesburg Pike, Falls Church. I MOVE THAT THE COMMISSION CONCUR WITH THE DETERMINATION THAT THE PROPOSAL FOR THE TELECOMMUNICATIONS FACILITY IS SUBSTANTIALLY IN ACCORD WITH THE RECOMMENDATIONS OF THE ADOPTED COMPREHENSIVE PLAN AND SHOULD BE CONSIDERED A "FEATURE SHOWN," PURSUANT TO *VIRGINIA CODE* SECTION 15.2-2232, AS AMENDED.

Commissioners Flanagan and Hedetniemi: Second.

Vice Chairman de la Fe: It's been moved and seconded by Commissioners Flanagan and Hedetniemi. Is there any discussion? Hearing and seeing none, all those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries.

The motion carried by a vote of 10-0. Commissioners Litzenberger and Murphy were absent from the meeting.

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FS-P14-30 – VERIZON WIRELESS, 3052 GATEHOUSE PLAZA

Commissioner Lawrence: Next, I have the matter of FS-P14-30, presented by Verizon Wireless, to be proposed at 3052 Gatehouse Plaza in Falls Church. I MOVE THAT THE PLANNING COMMISSION CONCUR WITH STAFF'S DETERMINATION THAT THE PROPOSAL IS SUBSTANTIALLY IN ACCORD WITH THE RECOMMENDATIONS OF THE ADOPTED COMPREHENSIVE PLAN AND SHOULD BE CONSIDERED A "FEATURE SHOWN," PURSUANT TO *VIRGINIA CODE* SECTION 15.2-2232, AS AMENDED.

Commissioners Flanagan and Hedetniemi: Second.

Vice Chairman de la Fe: Seconded by Commissioners Flanagan and Hedetniemi. Is there any discussion? Hearing and seeing none, all those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries.

The motion carried by a vote of 10-0. Commissioners Litzenberger and Murphy were absent from the meeting.

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ORDER OF THE AGENDA

Secretary Hall established the following order of the agenda:

1. SE 2014-MV-019 – QIN H. ZHENG
2. 2232-M14-5 – MILESTONE COMMUNICATION AND AT&T MOBILITY

This agenda was accepted without objection.

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SE 2014-MV-019 – QIN H. ZHENG – Appl. under Sect. 2-904 of the Zoning Ordinance to permit fill in floodplain. Located at 6430 Wood Haven Road, Alexandria, on approx. 7,000 sq. ft. of land zoned R-3. Tax Map 93-2 ((8)) (37) 28A. Also under consideration will be the Resource Protection Area (RPA) Encroachment Exception 1391-WRPA-001-1 and Water Quality Impact Assessment (WQIA) 1391-WQ-001-1 under section 118-6-7 (Chesapeake Bay Preservation Ordinance) of Chapter 118 of the Code of the County of Fairfax to permit encroachment within a Resource Protection Area for the purpose of fill in the floodplain.
MOUNT VERNON DISTRICT. PUBLIC HEARING.

Inda Stagg, Land Use Coordinator, Walsh, Colucci, Lubeley, Emrich & Walsh, PC, reaffirmed the affidavit dated July 8, 2014.

There were no disclosures by the Commissioners.

Megan Duca, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of application SE 2014-MV-019.

Referencing the drawing on page 2 of the staff report, Commissioner Flanagan asked about the existing structures in the floodplain. Ms. Duca explained that the drawing depicted buildings for which Special Exception applications had been submitted for replacement structures in the

immediate vicinity of this application. Commissioner Flanagan requested that staff determine the number of Special Exception applications had been submitted and/or approved since 2003. William Mayland, ZED, DPZ, agreed to do so. Commissioner Flanagan explained that his request was based on Objective 7, Policy a, of the Policy Plan, which stated: “Prohibit new residential structures within flood impact hazard areas.” He pointed out that it was not in the staff report. Ms. Duca explained that after reviewing that policy with the county’s Planning Division, it was determined that it did not apply to this case because the property was an existing buildable lot. Commissioner Flanagan then asked Ms. Duca to determine the number of cases that had been denied based on the policy, Ms. Duca said she would find out.

Commissioner Flanagan noted a stream that ran through the residential neighborhood and asked if it was perennial. Ms. Duca said she believed it was. He then asked if the proposed building would face I Street. Ms. Duca stated that it would face Wood Haven Road on the opposite side. Further discussion ensued with regard to the ownership of the property and its recent separation from a larger parcel.

Commissioner Sargeant asked Ms. Duca where the proposed swales would direct the water runoff and how the water would be prevented from going onto adjacent properties. Ms. Duca stated that staff had received a drawing from the applicant showing a cross-section of the swales and noted that they were also addressed in the proposed development conditions to ensure that no adjacent properties would be negatively impacted by runoff from this site. She added that an outfall analysis of the site showed that the majority of the runoff from the property would be channeled to an eastern channel near 11th Street, while the remainder would be directed into the Wood Haven Road right-of-way.

Referencing Development Condition Number 8, regarding the first submission of plans, Commissioner Sargeant asked for a brief explanation of the base flood elevation and submission of a Letter of Map Revision. Mohan Bastakoti, Department of Public Works and Environmental Services (DPWES) explained that in the event it was determined that the proposed fill could not withstand a 100-year storm event, a Letter of Map Revision would need to be submitted. Commissioner Sargeant asked about the elevation of the proposed structure and asked if any of the adjacent property owners had expressed concerns about it. Ms. Duca explained that the building height would be measured from the existing grade to the midpoint of the roof, rather than the new proposed grade.

Commissioner Hart asked about the orientation of the property. Ms. Duca said that the front would face Wood Haven Road while the rear would face 11th Street. Commissioner Hart expressed concern that 11th Street might only be listed on the county map for the purpose of establishing yards and, if it were determined that the street counted and the land in front and back of the dwelling were treated as yards, then the house would be too close to the street. Ms. Duca agreed, noting that DPZ staff had conferred with the applications acceptance staff as well as staff from the Zoning Administration Division on the issue. She added that the deck was also discussed during those talks. Commissioner Hart asked if there were any other homes in the vicinity that were as close to sea level. Also, noting the slopes coming down the sides of the house, he asked whether they would be vegetated. Ms. Duca referenced the landscape plan, depicted on Sheet 1 of 5 in the staff report, and explained that plantings were proposed on the northern and southern property lines and added that the Urban Forestry Management Division staff had determined that plant species would be selected during the grading plan review process.

When Commissioner Hart asked if staff had received similar applications in the past, Ms. Duca said no, adding that she would look to see if there were any.

Commissioner Hart asked when the subdivision was first planned. Ms. Duca stated that it dated to 1892, adding that the subject lot had always been vacant. Commissioner Hart asked Ms. Duca the reason for the Special Exception application for this dwelling. Ms. Duca explained that the Special Exception was required because the applicant intended to add fill to a lot that was larger than 5,000 square feet. When Commissioner Hart asked how high the bottom level of the home would need to be for it to receive approval, Ms. Duca said that it would need to be at least 18 inches above the floodplain elevation.

Commissioner Lawrence expressed concern about the negative impact this application might have on the surrounding properties, given the slope of the sight. He suggested that the applicant contact surrounding residents and find out if there were any existing issues with drainage and noted that there was development condition language to discourage the applicant from negatively impacting the adjacent properties.

Commissioner Hedetniemi stated that the design of the proposed house was incompatible with the residences surrounding it and suggested further review during the deferral period.

Commissioner Ulfelder asked Mr. Bastakoti what the impact of a rise in sea level would be on the FEMA Floodplain Maps in the County. Ms. Duca and Mr. Bastakoti then explained that if it was determined that the fill could not withstand the rise in sea level during the grading plan review, the applicant, in coordination with DPWES staff, would submit a Letter of Map Revision. Commissioner Ulfelder expressed concern that the applicant might be building an island that could become inaccessible during heavy storms due to flooding.

Ms. Stagg explained that the proposal was similar to several other lots in the New Alexandria subdivision which had also been consolidated in order to construct homes. She provided a brief history of the area, noting that New Alexandria had been platted in 1892 with townhome lots, although several of the parcels had been developed with single family detached dwellings. She stated that prior to consolidation of the existing parcel, in February 2013, the applicant had obtained a buildable lot determination from the county to ensure that it would be legal and met the requirements to build the proposed dwelling. She further noted that without the proposed development, there would be no permitted use for this lot. She reiterated and concurred with staff's presentation, adding that the applicant had performed her due diligence in ensuring that the Special Exception general standards would be in conformance with the requirements of the Zoning Ordinance. She hoped that the Planning Commission and staff would help to alleviate citizens' fears with regard to the county's rules, processes, and procedures, and approve the application.

Commissioner Flanagan asked how the proposed dwelling would be in compliance with Objective 7, Policy a, of the Policy Plan. Ms. Stagg stated that the policy addressed the creation of new lots and reiterated that the subject lot had been platted in 1892 and subsequently consolidated; therefore, the policy would not apply to this proposal.

Commissioner Hart asked Ms. Stagg how someone might get a lawnmower or wheel barrow from the front of the house to the back through the vegetated swales. Ms. Stagg said there would be no way, adding that she would review it during the deferral period. When Commissioner Hart asked if Ms. Stagg knew of any Special Exception applications for new development since Hurricane Isabel in 2003, she said that after some research, she found applications for developments similar to the subject proposal.

When Commissioner Ulfelder asked why Development Condition Number 4, regarding the submission of the agreement or suitable documents and Development Condition Number 5, regarding the disclosure of potential flood hazards, were necessary, Ms. Stagg explained that they were Fairfax County and legal requirements. In addition, she stated that the applicant had no objection to those conditions. When he asked if the applicant would be willing to include maintenance instructions for the swales in the final documentation, Ms. Stagg stated that she would be happy to.

Commissioner Sargeant expressed concern about fire and rescue access. He asked how close the adjacent neighboring homes were and if emergency vehicles could access the site on such a narrow lot. Ms. Stagg stated that the side setbacks were 12.1 and 12.7 feet, respectively. Ms. Duca added that staff had received no comments from the Fairfax County Fire Marshal regarding concerns about the proposal. When Commissioner Sargeant expressed concern about the landscaping possibly hindering the installation of utility meters and/or heating unit, Ms. Stagg indicated that they would be installed in the rear of the house.

Vice Chairman de la Fe called the first listed speaker and recited the rules for testimony.

Deborah Sell-Pugh, representing New Alexandria Citizens Association (NACA), 6424 Thirteenth Street, Alexandria, spoke in opposition to the application, citing drainage issues and adding that it would be detrimental to the existing wildlife. She provided a presentation which showed that during Hurricane Isabel, the water level had reached 9½ feet and expressed concern about rising sea levels impacting the existing residential area.

Commissioner Flanagan asked about a house in Ms. Pugh's presentation that was almost fully submersed and asked if the owner was aware of the damage to his house. Ms. Pugh said that she did not know. She noted that as a member of the newly formed flood mitigation task force, she had recently received a report that predicted a rise in the eastern sea level between two and five feet.

Joan Darrah, 6422 Wood Haven Road, Alexandria, opposed the application because of flooding. She stated that the subject site was often flooded during rain events, adding that the stream behind the site often overflowed. She stated that building a house on the site would eliminate the site where the majority of the runoff currently collected and, therefore, cause significant flooding on the neighboring properties. She echoed the previous speaker's remarks regarding negative impacts to the stream and wildlife and requested that the Planning Commission recommend denial of the application.

Troy Petersen, 6424 Wood Haven Road, Alexandria, noted that he lived directly adjacent to the subject site and spoke in opposition to the proposal, expressing concern about flooding. He stated

that the stream overflowed regularly during rain events and flooding the nearby adjacent properties. He questioned whether the lot should be developed, given its size, and said that the grandfather clause permitting it to be developed should be a reason for developing on it. He also noted that the neighboring residents' fears were legitimate because they had experienced flooding, sometimes severe, during significant storms. He further expressed concern about the removal of trees in the proposal, noting that the root systems helped to detain some of the water.

Commissioner Flanagan asked Mr. Petersen to show the Planning Commission where his residence was located in relation to the proposed site. He indicated the location of his property on county tax map provided by staff. When Commissioner Flanagan asked about the trees he referenced during his remarks, Mr. Petersen explained that there was a large tree that was very close to the subject property boundary, as well as a line of trees along the property line. Mr. Petersen noted his concern that the fill proposed on the subject site might damage the roots of the trees on his property.

Commissioner Hurley asked Mr. Petersen if he had been fully advised about the flooding risks in the area and, if so, why he still chose to purchase his home. He explained that although he knew it was a flood area and had spoken with other residents prior to the purchase. He added that the house was in an ideal location and had everything he wanted.

Edgar Ferrer, NACA, 1220 I Street, Alexandria, noted that his was the house was the one that was fully immersed in Ms. Pugh's presentation. He said that he was unaware that the house had been so damaged and stated that he would not have purchased the home had he known. He noted his agreement with the previous speakers and added that his house was most impacted by the stream's overflow. He also noted that I Street, Wood Haven Road, and 11th Street were the lowest points in the area and received the most water during rain storms. He added that the proposed development would displace more water and exacerbate the existing drainage problems.

Commissioner Flanagan asked Mr. Ferrer if the new house would loom behind his. Mr. Ferrer said that although the plans were aesthetically pleasing, the location was not ideal.

Commissioner Hart asked Mr. Ferrer how long he lived in his home, Mr. Ferrer said he purchased the home in February of 2013. Commissioner Hart asked him how often the subject site had flooded during his residence. Mr. Ferrer replied twice.

Jacqueline Kennedy, speaking on behalf of Ellen Young, President of the Belle View Condominium Unit Owners Association, 6422 Wood Haven Road, Alexandria, noted that the basements of condo buildings had been flooded. She pointed out that the residents of Belle View were opposed to the application, noting that development was located in a low are of New Alexandria and the proposed addition of impervious surface would exacerbate the existing flooding in the area. She also expressed concern about development in a Resource Protection Area (RPA) and noted that the Association had spent over \$2 million over the last ten years to decrease water runoff. She added that a master plan was in place to increase tree cover and ensure that appropriate vegetation was in place to absorb as much rainfall as possible. She requested that the Planning Commission recommend denial of the application.

Nicki Kennedy, 6412 4th Street, Alexandria, stated that while she did not live directly adjacent to the subject property, she lived nearby and saw the effects of the stream's overflow on the neighborhood. She questioned whether county staff or the applicant had inspected the property to note the extent of the flooding that occurred from a typical rainstorm in the area. In addition, she stated that she had almost purchased a home located on 10th Street; however, once she discovered the cost of the flood insurance and how active the sump pumps in the currently basement were, she decided to move further out. She echoed earlier sentiments regarding citizens' fears about runoff and flooding and asked for clarification on the proposed path of the stream's overflow.

Katherine Weiss, 6420 Wood Haven Road, Alexandria, Katherine Weiss, 6420 Wood Haven Road, Alexandria, opposed the application. She noted her agreement with the previous speakers and said that although she lived at the opposite end of Wood Haven Road, some flooding did occur on those properties. She questioned staff's use of the original plat and said that New Alexandria had not been developed in accordance with it.

Commissioner Flanagan explained to Ms. Weiss that many of the lots had been consolidated into larger buildable lots in order to make it easier for landowners to develop them with several homes. He then asked her if this was common in the area. Ms. Weiss said yes, adding that allowing owners to do so would set a bad precedent. Commissioner Flanagan stated that approval of this application would likely bring about more applicants who would want to develop other parcels in the area.

There being no more speakers, Vice Chairman de la Fe called for a rebuttal statement from Ms. Stagg, who first addressed the impervious area, noting that the property was believed to be largely clay. She noted however that the applicant would be willing to accept a development condition to install a 5,000 gallon cistern which would not only make up for the loss of impervious area, but would also be large enough to be used as an irrigation system. With regard to the rise in sea level, she said that flooding in the area was not in dispute; however, the subject application would not create a situation that would make the current flooding worse. Addressing the swales, Ms. Stagg said that they would work only during smaller storms, keeping excess water off of the neighboring properties and directing it to the stream. Regarding tree save, she stated that the Urban Forester had reviewed the applicant's tree save plan and noted that there were ways to build on properties with adjacent trees. She further added that the applicant would comply with any conditions set forth by the Urban Forester to ensure that the trees adjacent to the subject site were preserved. She then pointed out that lots 6420 and 6422, north of the subject site, were the last two new builds in this neighborhood. She stated that the lots were originally part of five lots: 6420 was a consolidation of three lots, while 6422 was once two lots, all of which were vacant before homes were built on them. She said that the application met the Special Exception requirements and requested that the Planning Commission recommend approval.

Commissioner Flanagan expressed concern about having to prune the roots of Mr. Petersen's trees during the installation of the swale. Ms. Stagg explained that the applicant and the Urban Forester had discussed this and assured Commissioner Flanagan that the utmost care would be taken to ensure that the trees would not be disturbed.

Commissioner Hurley expressed concern about adding fill on top of the fresh-cut roots. Ms. Stagg said that she would determine what the impact would be during the deferral period.

Commissioner Hart asked where the air conditioning unit might go and how it would be installed. Ms. Stagg stated that it would likely be placed in the rear of the house and would be installed higher on the house with a bracket to keep it out of the floodplain. She added that she would find out during the deferral period. When Commissioner Hart asked if the owner would be able to use a ladder on the sides of the house, Ms. Stagg said that although she assumed the owner would be able to perform maintenance on the home, she would get a more definite answer during the deferral. Commissioner Hart asked if applicant needed a waiver from the tree preservation target in order to construct the house. Ms. Stagg said yes.

There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Vice Chairman de la Fe closed the public hearing and recognized Commissioner Flanagan for action on this case.

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Vice Chairman de la Fe: I will close the public hearing and turn to Mr. Flanagan.

Commissioner Lawrence: Mr. Chairman, first of all I'd like to make a record of some of the testimony that was given. The Mount Vernon Council's Land Use Committee did take this issue up and – as did the Environment Committee. The Environment Committee voted, I think, overwhelmingly. I think it was it one vote in favor of the applicant. And the Planning and Zoning Committee voted unanimously on this, as did the entire Mount Vernon Council, so I want to be sure that's on record. The – I would also like to thank Debbie Sell-Pugh, Joan Darrah, Troy Petersen, Edgar Ferrer, Jacqueline Kennedy, and Ellen Young [*sic*], you know, for coming out and giving us such compelling testimony and, certainly, this is a very complex matter and I'm – I think we are going to need all the time that we can possibly have to sort all this out over the deferral period. So, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENTS FOR SE 2014-MV-019, RPA ENCROACHMENT EXCEPTION NUMBER 1391-WRPA-001-1, AND WQIA NUMBER 1391-WQ-001-1 TO A DATE CERTAIN OF NOVEMBER 5, 2014.

Commissioner Hall: Second.

Vice Chairman de la Fe: Seconded by Mrs. Hall. Any comments from the Commission? No? Hearing and seeing none, all those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries.

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The Commission went into recess at 10:39 p.m. and reconvened in the Board Auditorium at 10:53 p.m.

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2232-M14-5 – MILESTONE COMMUNICATION AND AT&T MOBILITY – Appl. under Sects. 15.2-2204 and 15.2-2232 of the *Code of Virginia* to consider the proposal by Milestone Communications and AT&T Mobility to develop a telecommunications facility located at 3301 Peace Valley Lane, Falls Church, VA. Tax Map 6-1 ((1)) 13A. MASON DISTRICT. PUBLIC HEARING.

David Stinson, Planning Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of application 2232-M14-5.

There were no disclosures by the Commission.

Commissioner Hurley asked there would be a cover over the enclosed compound to prevent items from falling into it from the athletic field. Mr. Stinson stated that none had been planned.

Tracy Themak, Esquire, applicant's agent, Donohue & Stearns, PLC, addressed Commissioner Hurley's question and said that the applicant would be happy to add a development condition to provide a preventive cover on the enclosed compound. She noted that the facility was in conformance with Objective 42, Policy D of the Comprehensive Plan, which recommended that telecommunications facilities be located on public property. She added that any visual impact of the facility would be mitigated because the facility would be located on a light standard and the related equipment cabinet would be located under the bleachers. She stated that the facility was needed because wireless demand, particularly for data, had grown significantly in the area, and said that this facility would improve coverage along Route 7, Valley Lane, Shadeland Drive, and the surrounding area. She noted several other facilities nearby and said this facility would work in conjunction with them to provide better coverage and fill in current gaps. She pointed out that telecommunications facilities had been placed on Fairfax County Public School (FCPS) properties since the mid-1990s and described the replacement light pole facility. She stated that Milestone had notified over 600 citizens of the meeting held at the Mason District Government Center on May 19, 2014, and the date of the balloon fly-over test. She added that six homeowners associations were contacted individually by Milestone. Additionally, Ms. Themak said that Milestone set up a website with information on the application for citizens to find out about the facility and/or updates. She concurred with staff's presentation and stated that the applicant proposed a good use for an existing infrastructure.

Commissioner Migliaccio asked Ms. Themak to describe Milestone's efforts to locate the facility on alternative sites. Ms. Themak noted that Milestone had considered the Munson Hill Towers, which was too far from the center of the search ring and would not provide coverage for customers west of the target area, and Barcroft Hills Condominiums, where the landlord was not interested locating a facility.

Commissioner Hurley asked how close the generator would be to the residential areas surrounding the school. Marc Marzullo, President, Entrex Communications, explained that it was located on the north side of the football field, where there was an apartment building approximately 250 feet away. He added that other residential properties on the east side stood approximately 250 feet away. When Commissioner Hurley asked how close the generator was to the school property line, he said that it was approximately 60 feet and, therefore, noise should not be a problem. He also added that it would be enclosed, which would also shield the noise.

Commissioner Lawrence asked Ms. Themak if the 9-1-1 calls she referenced could not be made without this tower. She explained that the calls could still be made; however, the signal strength might be weak during high traffic times. She also noted that the gaps shown on the applicant's propagation maps referred to callers' ability to make or complete calls, again depending on the number of users and resulting signal strength. As the discussion continued, Ms. Themak explained that the aim was to provide enough signal strength for people to be able to place and receive calls within their homes, and said that the proposed site was the ideal location, in relation to other nearby cell sites, to work in combination to provide the best uniform signal strength to the entire search area.

Commissioner Sargeant asked if the new light pole would alter the height of the stadium light. Ms. Themak stated that it be installed at the same height as it currently stood and, therefore, there would be no impact on the lighting. Commissioner Sargeant asked if the monopole would benefit JEB Stuart's connectivity and, if so, how. Ms. Themak stated that it would benefit the school's information technology (IT) department, but pointed out that FCPS's Office of Safety and Security was heavily involved in the wireless program, so the application would enhance the security within the school.

Commissioner Flanagan asked Ms. Themak if Milestone Communications had a contract with the Fairfax County school board to provide telecommunications facilities on school properties. Ms. Themak confirmed that there was a contract between the two entities. Commissioner Flanagan said that as a result of that contract, it might not benefit Milestone to search for alternate. Ms. Themak countered that AT&T had looked at one of the alternative sites that had been ruled out prior to Milestone's involvement in the application. She further noted that Milestone would not be able to receive approval of an application by the county without proof of having reviewed and ruled out alternate sites.

Commissioner Hall asked Ms. Themak whether it would be preferable to locate a facility on a building rooftop or build a monopole. Ms. Themak stated that a rooftop location was more preferable, cheaper, and faster. Commissioner Hall added that a rooftop collocation would not require a public hearing.

Vice Chairman de la Fe called the first listed speaker and recited the rules for testimony

Margaret Morrison, 3413 Mansfield Road, Falls Church, spoke in support of the application, noting that she did not have cell service in her home. She added that she her children attended JEB Stuart High School. She stated that she had circulated a petition to support the tower and

obtained 98 signatures. She also noted that the funds from the tower would be dedicated to building new turf fields for the school.

Scott Campbell, 3537 Devon Drive, Falls Church, spoke in opposition to the application, citing safety reasons. He noted that there were 118 documented deaths of cell tower workers in the United States, 21 towers had collapsed, and 17 had caught fire since 2006. He stated that such dangerous structures should not be located on school property and students should not witness such incidents. He pointed out that the school was adequately wired for its teaching needs and said there was no need for additional coverage. In addition, he said that the residence closest to the school was actually between 100 and 150 from the school. He also questioned the ruling out of the Munson Hill site, saying that it was taller than the subject proposal. He requested that the Planning Commission recommend denial of the application.

Commissioner Hedetniemi asked Mr. Campbell if he had the same concern with regard to the lights around the athletic field at the school. Mr. Campbell said no; however, he said that the tower would be taller and heavier.

Commissioner Hall asked staff for clarification on the height of the pole. Mr. Stinson explained that the applicant would install a new 100 foot monopole that would ably support the light and collocating carriers.

Donna Carter, representing JEB Stewart Athletic Boosters, 6200 Beachway Drive, Falls Church, spoke in support of the application and pointed out that JEB Stuart High School did not have cell phone capability. She added that she and her son, a student at the school, could not contact each other either within the school or between the school and her home, and asked the Commission to recommend approval.

Constantino Panayides, representing Lafayette Park Condominium Homeowners Association (HOA), 6141 Leesburg Pike, Falls Church, spoke in opposition to the application and noted that his association had never been contacted by the applicant. He stated that his major concerns were the visual and economic impacts the tower would have on the community. He added that of all the facilities located on school properties, none had been placed in an area as densely populated as this one. He said that there were not only alternative locations away from the school, but also on the school property, and questioned the applicant's due diligence in securing one of those locations. He stated that the revenue provided by the tower to the school would not be worth the monies the county would lose from the decreased property values that it would cause, and stated that the facility should instead be located at Munson Hill Towers. In addition, he requested that the applicant release any correspondence between the carriers and Barcroft Hills Condominiums demonstrating that they could not reach an agreement. He also questioned the need for a tower and said that other technologies, such as a distributed antenna system (DAS) and microcell, should also be considered.

Commissioner Hall explained to Mr. Panayides that coverage, not revenue, was the main objective for the tower.

Commissioner Hart asked Mr. Panayides to clarify the president and address of his association, after which it was discovered that the address to which Milestone sent notification might not have been correct. When Commissioner Hart asked if the notifications had been sent as required, Mr. Stinson said yes, adding that he had received the addresses from Supervisor Gross's office.

Commissioner Lawrence noted that his earlier questions to the applicant were aimed at getting reception inside the home and pointed out that in order for the county to bring in good jobs and corporations, it would need to satisfy the requirement of providing good reception for smart phones and other devices inside our homes.

Maria Katradis, 6141 Leesburg Pike, Falls Church, was opposed to the application, citing visual impacts. She noted that she could not see the existing light poles from the athletic fields and stated that the tower would be noticeably higher than the poles. She pointed out that another carrier had recently begun to provide service over home and office networks, thereby resolving much of the connectivity issues created by the increase in data requirements. She also expressed concern about the resale value of her property and stated that she would have not purchased her property if she thought a telecommunications tower would be nearby.

There being no more speakers, Vice Chairman de la Fe called for a rebuttal statement from Ms. Themak, who explained that the location of the pole was determined by the location of the existing light standard in the athletic field. Addressing Mr. Campbell's concerns, she said that the utility poles were constructed not to tilt over but rather to crumble straight down onto themselves, thereby reducing the fall zone. She pointed out that the facility would be a new replacement pole that would be structurally capable of holding all of the wireless equipment as well as the lighting fixture. Additionally, she apologized for the mix-up in addresses and said that Milestone had held additional balloon fly tests and attempted to communicate with Lafayette Park Condominiums.

Vice Chairman de la Fe asked for clarification regarding the location of the equipment cabinet and why a cover would be needed on it. Ms. Themak said that the equipment cabinet would be completely concealed underneath the bleachers and clarified that the enclosed natural gas generator would be covered to prevent items from the athletic field from fall into it.

Commissioner Hall noted for the record that she had received correspondence in support of the application from William Lecos, representing the Lake Barcroft Association.

There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Vice Chairman de la Fe closed the public hearing and recognized Commissioner Hall for action on this case.

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Vice Chairman de la Fe: I will close the public hearing. This is in the Mason District. Mrs. Hall.

Commissioner Hall: Thank you, Mr. Chairman. I'm sorry that this has gone so late. I'm sure most of you would much prefer to be home, as would I. To be perfectly fair, we really didn't

hear any new testimony about monopolies. Nobody really thinks they want to look at one, yet everybody wants the service and they want it in their community. And the action that we're reviewing this evening is a 2232, which has to do with "feature shown" on the Comprehensive Plan, which is what a monopoly is. And we're looking at three things: location, character, and extent. You know, I mean, I think it's great that you're going to contribute money to the school, but that's not part of the evaluation; otherwise, the price would go up. No, I'm teasing. But when I consider that, I find that, in fact, does meet that criteria and so, therefore, Mr. Chairman, I CONCUR WITH STAFF'S CONCLUSION THAT THE proposed – PROPOSAL BY MILESTONE COMMUNICATIONS AND AT&T MOBILITY TO CONSTRUCT AN 100-FOOT TALL REPLACEMENT LIGHT STANDARD WITH TELECOMMUNICATIONS AT 3301 PEACE VALLEY LANE, FALLS CHURCH, SATISFIES THE CRITERIA OF LOCATION, CHARACTER, AND EXTENT, AS SPECIFIED IN *VIRGINIA CODE* 15.2-2232, AS AMENDED. Therefore, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION FIND THE APPLICATION 2232-M14-5 SUBSTANTIALLY IN ACCORD WITH THE PROVISIONS OF THE ADOPTED COMPREHENSIVE PLAN.

Commissioners Hart and Hedetniemi: Second.

Vice Chairman de la Fe: Seconded by Commissioner Hart and Commissioner Hedetniemi. Any comments? Hearing and seeing none, all those in favor, please signify by saying aye.

Commissioners: Aye.

Vice Chairman de la Fe: Opposed? The motion carries.

The motion carried by a vote of 10-0. Commissioners Litzenberger and Murphy were absent from the meeting.

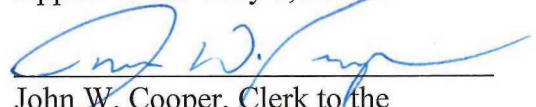
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The meeting was adjourned at 12:06 a.m.
Peter F. Murphy, Chairman
Janet R. Hall, Secretary

Audio and video recordings of this meeting are available at the Planning Commission Office, 12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Jeanette Nord

Approved on: May 6, 2015


John W. Cooper, Clerk to the
Fairfax County Planning Commission

